

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

David Clauson,

Plaintiff,

v.

Civ. No. 04-3312 (JNE/RLE)  
ORDER

Jo Anne B. Barnhart,  
Commissioner of Social Security,

Defendant.

This case is before the Court on a Report and Recommendation issued by the Honorable Raymond L. Erickson, United States Magistrate Judge, on August 18, 2005. The magistrate judge recommended that Plaintiff's motion for summary judgment be denied and that Defendant's motion for summary judgment be granted. Plaintiff has objected to the Report and Recommendation and Defendant has responded. The Court has conducted a de novo review of the record. Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Plaintiff's motion for summary judgment [Docket No. 10] is DENIED.
2. Defendant's motion for summary judgment [Docket No. 14] is GRANTED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 6, 2005

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge